

PTO/PCT Rec'd 12 MAY 1999  
PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of )  
Hans-Peter Esser ) Art Unit: Not Assigned  
Serial No. 09/254,625 ) Examiner: Not Assigned  
International Appl. No. PCT/EP97/04662 )  
Filing Date: March 11, 1999 ) Atty. Dkt. No. 16202.160  
For: PROCESS FOR THE PRODUCTION )  
OF BIOLOGICALLY DEGRADABLE )  
ALIPHATIC POLYESTER AMIDE )  
SOLUTIONS )

Box PCT  
Commissioner of Patents  
and Trademarks  
Washington, D.C. 20231

SUBMISSION OF MISSING PARTS

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371  
in the United States Designated/Elected Office (DO/EO/US) mailed April 12, 1999,  
(copy attached), enclosed are the following:

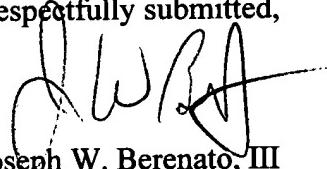
- 1) Declaration for Patent Application referencing the application entitled  
PROCESS FOR THE PRODUCTION OF BIOLOGICALLY DEGRADABLE  
ALIPHATIC POLYESTER AMIDE SOLUTIONS, referencing Attorney Docket No.  
16202.160;
- 2) Check No.13263 in the amount of \$195.00 to cover the cost of the  
surcharge and English translation fee - Small Entity Status has been established;  
00000126 09254625
- 3) ~~\$19.00~~ <sup>\$19.00</sup> ~~65.90~~ <sup>65.90</sup> translation and Translator's Declaration; and
- 4) Preliminary Amendment.

The undersigned attorney of record asserts that the application filed in the Patent and Trademark Office is the application which the inventors executed by signing the Oath or Declaration.

Should any other charges be due, then please debit Account No. 50-0548, and notify the undersigned.

In view of the above, the applicant respectfully submits that all documents necessary for perfecting the filing date of March 11, 1999 have been filed, and that a filing receipt be issued.

Respectfully submitted,



Joseph W. Berenato, III  
Registration No. 30,546  
Agent for Applicant

Date: May 12, 1999

Liniak, Berenato, Longacre & White, LLC  
6550 Rock Spring Drive, Suite 240  
Bethesda, Maryland 20817  
(301) 896-0600



09/25/1995  
U.S. APPLICATION NO.

09/254,625

ESSER

FIRST NAMED APPLICANT

ATTY. DOCKET NO.

H 16202.160

INTERNATIONAL APPLICATION NO.

PCT/EP97/04662

JOSEPH W BERENATO III  
LINIAK BERENATO LONGACRE & WHITE  
6550 ROCK SPRING DRIVE  
SUITE 240  
BETHESDA MD 20817

5611 RECEIVED

Liniaik, Berenato,  
Longacre & White

DATE MAILED: 04/12/99

I.A. FILING DATE 08/27/97 PRIORITY DATE 09/12/96

**NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)**

1. The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as  a Designated Office (37 CFR 1.494),  an Elected Office (37 CFR 1.495):

- U.S. Basic National Fee.
- Copy of the international application in:
  - a non-English language.
  - English.
- Translation of the international application into English.
- Oath or Declaration of inventors(s) for DO/EO/US.
- Copy of Article 19 amendments.
- Translation of Article 19 amendments into English.
- The International Preliminary Examination Report in English and its Annexes, if any.
- Translation of Annexes to the International Preliminary Examination Report into English.
- Preliminary amendment(s) filed \_\_\_\_\_ and \_\_\_\_\_
- Information Disclosure Statement(s) filed \_\_\_\_\_ and \_\_\_\_\_
- Assignment document.
- Power of Attorney and/or Change of Address.
- Substitute specification filed \_\_\_\_\_
- Statement Claiming Small Entity Status.
- Priority Document.
- Copy of the International Search Report  and copies of the references cited therein.
- Other:

2. The following items MUST be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- a. Translation of the application into English. Note a processing fee will be required if submitted later than the appropriate 20 or 30 months from the priority date.
  - The current translation is defective for the reasons indicated on the attached Notice of Defective Translation.
- b. Processing fee for providing the translation of the application and/or the Annexes later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(f)).
- c. Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.
  - The current oath or declaration does not comply with 37 CFR 1.497(a) and (b) for the reasons indicated on the attached PCT/DO/EO/917.
- d. Surcharge for providing the oath or declaration later than the appropriate 20 or 30 months from the priority date (37 CFR 1.492(e)).

3. Additional claim fees of \$ \_\_\_\_\_ as a  large entity  small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due (37 CFR 1.492(g)). See attached PTO-875.

**ALL OF THE ITEMS SET FORTH IN 2(a)-2(d) AND 3 ABOVE MUST BE SUBMITTED WITHIN ONE MONTH FROM THE DATE OF THIS NOTICE OR BY  21 OR  31 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.**

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

4. Translation of the Annexes MUST be submitted no later than the time period set above or the annexes will be cancelled. Note processing fee will be required if submitted later than 30 months from the priority date.

5.  The Article 19 amendments are cancelled since a translation was not provided by the appropriate 20 (37 CFR 1.494(d)) or 30 (37 CFR 1.495(d)) months from the priority date.

Applicant is reminded that any communication to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above. (37 CFR 1.5)

**A copy of this notice MUST be returned with this response.**

Enclosed:  PCT/DO/EO/917  Notice of Defective Translation  
 PTO-875

FORM PCT/DO/EO/905 (December 1997)

*Ralph J. Williams*  
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*Technical and scientific translation - German and French into English*

## Declaration

I, Nicholas Hartmann, translator, having an office at 828 N. Broadway, Suite 506, Milwaukee, WI, 53202, declare that I am well acquainted with the English and German languages and that the appended document is a true and faithful translation of:

*International Patent Application numbered  
WO 98/11153, PCT/EP97/04662, and entitled:*

*"Verfahren zum Herstellen von Lösungen biologisch abbaubarer Kunststoffe,  
insbesondere aliphatischer Polyesteramide"*

All statements made herein are to my own knowledge true, and all statements made on information and belief are believed to be true; and further, these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the document.

Date

4/2/98

  
Nicholas Hartmann